चुनाव अत्यावश्यक

राजस्थान सरकार
सामान्य प्रशासन (ग्रुप–2) विभाग

क्रमांकः–प.12(6)साप्र/2/2023 **जयपुर, दिनांकः** 21·04·2023

– : आदेश :–

पंजाब राज्य के 04–Jalandhar (SC) लोकसभा क्षेत्र के उप चुनाव, 2023 दिनांक 10.05.2023 (बुधवार) को सम्पन्न होगे। अतः भारत सरकार के निर्वाचन आयोग के निर्देशानुसार राजस्थान राज्य के ऐसे समस्त कर्मचारी/अधिकारी जो पंजाब राज्य की 04–Jalandhar (SC) लोकसभा निर्वाचन क्षेत्र के पंजीकृत मतदाता है, को मतदान दिवस दिनांक 10.05.2023 (बुधवार) को उनके द्वारा (ऐसे मतदाता द्वारा) आवेदन करने पर संवैतनिक अवकाश प्रदान करने हेतु राज्य के समस्त जिलो के जिला निर्वाचन अधिकारी (कलक्टर्स)/विभिन्न विभागों/उपक्रमों/बोर्ड/निगमों आदि के विभागाध्यक्षों को प्राधिकृत किया जाता है।

संलग्नः– उपरोक्तानुसार।

राज्यपाल महोदय की आज्ञा से,

(शैली किशनानी)
विशिष्ठ शासन सचिव

प्रतिलिपि निम्नांकित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित हैः–

1. प्रमुख सचिव, माननीय राज्यपाल महोदय, राजस्थान जयपुर।
2. प्रमुख सचिव, माननीय मुख्यमंत्री महोदय, राजस्थान जयपुर।
3. सचिव, राजस्थान विधानसभा, जयपुर।
4. सयुंक्त शासन सचिव, मुख्य सचिव, राजस्थान, जयपुर।
5. सचिव, लोकायुक्त सचिवालय, जयपुर।
6. सचिव, राजस्थान लोक सेवा आयोग, अजमेर।
7. महानिदेशक पुलिस, राजस्थान, जयपुर।
8. सचिव, मा0 मुख्यमंत्री महोदय (जीजी), मुख्यमंत्री कार्यालय।
9. समस्त विशिष्ट सहायक/निजी सचिव, मंत्रीगण/राज्यमंत्रीगण, राजस्थान जयपुर।
10. अतिरिक्त मुख्य निर्वाचन अधिकारी, राजस्थान, जयपुर को उनके पत्र कमांक 1419 दिनांक 10.04.2023 के कम में।
11. निजी सचिव, समस्त अतिरिक्त मुख्य सचिव/प्रमुख शासन सचिव/शासन सचिव /विशिष्ठ शासन सचिवगण।
12. समस्त संम्भागीय आयुक्त, राजस्थान ।
13. समस्त जिला निर्वाचन अधिकारी (कलक्टर्स), राजस्थान।
14. पंजीयक, राजस्थान उच्च न्यायालय, जोधपुर/जयपुर बैंच, जयपुर।
15. संयुक्त शासन सचिव, प्रशासनिक सुधार (ग्रुप–3) विभाग, शासन सचिवालय, जयपुर।
16. निदेशक, सूचना एवं जनसंपर्क विभाग, राजस्थान जयपुर।
17. समस्त विभागाध्यक्ष/उपक्रम/निगम/बोर्ड के अध्यक्ष एवं प्रबन्धक निदेशक, राजस्थान।
18. प्रोग्रामर, सामान्य प्रशासन (ग्रुप–3) विभाग, शासन सचिवालय, जयपुर को प्रेषित कर लेख है कि उक्त आदेश को सामान्य प्रशासन विभाग की वेबसाईट पर अपडेट कराने का श्रम करावें।
19. मुख्य निर्वाचन अधिकारी, पंजाब को उनके पत्र क्रमांक 1736 दिनांक 06.04.2023 के क्रम में सूचनार्थ प्रेषित है।
20. रक्षित पत्रावली।

Signature valid
Digitally signed by S[illegible]y Kishnani
Designation: Special Secretary To Government
Date: 2023.04.2[illegible] 16:53:08 IST
Reason: Approved

RajKaj Ref No. : 3668063

कार्यालय मुख्य निर्वाचन अधिकारी, राजस्थान
शासन सचिवालय, जयपुर।

विषयः— पंजाब राज्य के लोकसभा उप चुनाव 2023 – मतदान दिवस का सार्वजनिक अवकाश घोषित कराने बाबत्।

उपरोक्त विषयान्तर्गत भारत निर्वाचन आयोग, नई दिल्ली के निर्देश है कि जहॉ मतदान हो रहा है उस क्षेत्र के मतदाता जो अन्य राज्य अथवा क्षेत्र में नियोजित हैं उन्हें मतदान दिवस पर संवैतनिक अवकाश दिया जावें। भारत निर्वाचन आयोग के पत्र दिनांक 31.03.2023 की छायाप्रति संलग्न है।

पंजाब राज्य के मुख्य निर्वाचन अधिकारी ने अपने पत्र कमांक 1736 दिनांक 06.04.2023 (प्रति संलग्न) के द्वारा अवगत कराया है कि पंजाब राज्य के लोकसभा उप चुनाव, 2023 के लिए मतदान दिनांक 10 मई, 2023 को सम्पन्न होगें। अतः राजस्थान राज्य में कार्यरत ऐसे अधिकारी/कर्मचारी जो पंजाब राज्य की 04–Jalandhar (SC) लोकसभा निर्वाचन क्षेत्र के पंजीकृत मतदाता है, को मतदान दिवस दिनांक 10.05.2023 का संवैतनिक अवकाश दिया जावें।

अतः मुख्य निर्वाचन अधिकारी, पंजाब के पत्र दिनांक 06.04.2023 एवं भारत निर्वाचन आयोग के पत्र दिनांक 31.03.2023 की छायाप्रति संलग्न कर अनुरोध है कि राज्य के समस्त जिलों के जिला निर्वाचन अधिकारी (कलक्टर्स)/विभिन्न विभागों/बोर्ड/उपक्रमों/निगमों आदि के विभागाध्यक्षों को मतदान दिवस दिनांक 10 मई, 2023 का संवैतनिक अवकाश प्रदान करने हेतु प्राधिकृत कराये जाने के लिए आदेश प्रसारित कराने का श्रम करावें।

संलग्न :— उपरोक्तानुसार।

10/4
(कृष्ण कुणाल)
अतिरिक्त मुख्य निर्वाचन अधिकारी,
राजस्थान, जयपुर।

प्रमुख शासन सचिव,
सामान्य प्रशासन (ग्रुप-2) विभाग,
राजस्थान सरकार, जयपुर।
अ.शा.टीप क्रमांक प.8(2)(30)निर्वा./2017/1419
जयपुर दिनांक :– 10.04.2023

प्रतिलिपिः— समस्त जिला निर्वाचन अधिकारी (कलक्टर्स) राजस्थान को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित है।

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विशेषाधिकारी, निर्वाचन विभाग
राजस्थान, जयपुर।

सामान्य प्र...
शास...
प्राप्ति 1259742
दिनांक 17 APR 2023

13/4/23

ਦਫਤਰ ਮੁੱਖ ਚੋਣ ਅਫਸਰ, ਪੰਜਾਬ
OFFICE OF THE
CHIEF ELECTORAL OFFICER, PUNJAB
SCO No. 29 - 32, Sector 17-E, Chandigarh
Phone: 0172- 2704701, 2704743, 2704779 | Fax: 0172-2707970 | Email: ceo_punjab@eci.gov.in , dyceo@punjab.gov.in

ELECTIONS
URGENT

No.Elec-2023/R- 1736

To

The Chief Secretary to the Govt. of Punjab,
Punjab Civil Secretariat,
Chandigarh.

Dated Chandigarh, 06 April, 2023

Subject: Bye-Elections 2023 to Lok Sabha from 04-Jalandhar (SC) Parliamentary Constituency-Grant of paid Holiday on the day of poll-regarding

Respected Sir,

Kindly find enclosed herewith a copy of Commission's letter No.78/EPS/2023/5564 dated 31.03.2023. The Election Commission of India has announced the Bye-Elections 2023 to Lok Sabha from 04-Jalandhar (SC) Parliamentary Constituency on 29.03.2023 and Model Code of Conduct was enforced in Jalandhar (SC) Parliamentary Constituency. The poll for the said election will be held on 10.05.2023 (Wednesday).

2. In this regard, your kind attention is invited to Section 135B of the Representation of People Act, 1951 which provides for the grant of paid holiday to the employees on the day of Poll. Every Person employed in any business trade, Industrial Undertaking or any other establishment and entitled to vote at election to the House of People or Legislative Assembly of a State, shall on the day of poll, be granted a holiday. The daily waged/causal workers are also entitled for a holiday and wages on poll day as provided in Section 135B of the Representation of People Act, 1951.

3. Your kind attention is also drawn to para 3 of the instructions contained in the Commission's aforesaid letter whereby it is clarified that even those electors including casual workers working outside the constituency

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ELECTIONS
URGENT

concerned would be entitled to the benefit of a paid holiday extended under Section 135B(1) of the Representation of People Act, 1951.

4. **It is, therefore, requested to take steps to declare 10.05.2023 (Wednesday) as Gazetted/Public Holiday in the areas of 04-Jalandhar (SC) Parliamentary Constituency under Negotiable Instrument Act 1881, Punjab Shops and Commercial Establishments Act, 1958 (Punjab Act No. 15 of 1958) and The Factories Act, 1948 (Central Act LXIII of 1948).**

Yours faithfully,

Sd/-

Chief Electoral Officer, Punjab

Endst.No.Elec-2023/R- 1737 Dated 06 April, 2023

A copy of the above is forwarded to the following:-

1. The Principal Secretary to Govt. of Punjab, Department of Labour and Employment, Chandigarh for information and necessary action.
2. The Chief Electoral Officer, Himachal Pradesh, Haryana, Chandigarh, Rajasthan and Jammu & Kashmir for information and necessary action please.
3. All Deputy Commissioners-cum-District Election Officers, Punjab, for information.
4. Sh. Sanjeev Kumar Prasad, Secretary, Election Commission of India, Nirvachan Sadan, Ashoka Road, New Delhi for information.

Sd/-

Chief Electoral Officer, Punjab

भारत निर्वाचनआयोग
ELECTION COMMISSION OF INDIA

TEL: 011-23052246
Fax 011-23052001
Website: www.eci.gov.in

Nirvachan Sadan,
Ashoka Road, New Delhi-110001.

78/EPS/2023/5564

Dated: 31st March, 2023

To

1. The Secretary to the Govt. of India, M/o Personnel Public Grievances & Pensions, Department of Personnel and Training North Block, New Delhi.

2. The Chief Secretaries of Punjab, Odisha, Uttar Pradesh and Meghalaya.

3. The Chief Electoral Officer of Punjab, Odisha, Uttar Pradesh and Meghalaya.

Subject: Conduct of Bye-Elections to 1 (One) Parliamentary Constituency of Punjab and 3 (three) Legislative Assemblies of Odisha and Uttar Pradesh and 1 (one) adjourned poll in Meghalaya – Grant of paid holiday to employees on the day of poll – Reg.

Sir,

I am directed to refer to the subject cited and to inform that the Commission has announced schedule for Bye-Elections to Parliamentary Constituency and Legislative Assemblies vide it's Press Note No. ECI/PN/25/2023 dated 29th March, 2023, which is available at Commission's website https://eci.gov.in under head 'Press Releases' at URL https://eci.gov.in/files/file/14862-schedule-for-bye-election-to-clear-vacancies-of-1-one-parliamentary-constituency-of-punjab-and-3-three-legislative-assemblies-of-odisha-and-uttar-pradesh-and-1-adjourned-poll-in-meghalaya/ The date of poll has been fixed on **10.05.2023 (Wednesday)** in above mentioned bye/adjourned-poll going States.

2. In this regard, your attention invited to Section 135B of the Representation of the People Act, 1951 which provides for the grant of paid holiday to the employees on the day of poll. The Section 135B is reproduced below:-

"135B. Grant of paid holiday to employees on the day of poll.

(a) Every person employed in any business, trade, industrial undertaking or any other establishment and entitled to vote at election to the House of the People or the Legislative Assembly of a State shall, on the day of poll, be granted a holiday.

(b) No deduction or abatement of the wages of any such person shall be made on account of a holiday having been granted in accordance with sub-section (1) and if such person is employed on the basis that he would not ordinarily receive wages for such a day, he shall nonetheless be paid for such day the wages he would have drawn had not a holiday been granted to him on that day.

(c) If an employer contravenes the provisions of sub-section (1) or sub-section (2), then such employer shall be punishable with fine, which may extend to five hundred rupees.

(d) This section shall not apply to any elector whose absence may cause danger or substantial loss in respect of the employment in which he is engaged."

3. The above provisions require that all the electors who are employees of establishments and shops including those which work on shift basis shall be granted a paid holiday on the day of poll in the Constituency where the general election is to be held. Further, there may be cases where a person is ordinarily resident of the Constituency and registered as an elector, may be serving or employed in an industrial undertaking or an establishment located outside the Constituency having a bye-election. It is clarified that in such a situation, even those electors including casual workers working outside the constituency concerned would be entitled to the benefit of a paid holiday extended under the Section 135B(1) of the Representation of the People Act, 1951.

4. The daily wage/casual workers are also entitled for a holiday and wages on poll day as provided in Section 135B of the R.P. Act, 1951.

5. The Commission desires that suitable instructions should be issued to all concerned and a copy thereof be endorsed to the Commission for its information and record.

6. The receipt of this letter may please be acknowledged.

Yours faithfully

31/3/2021

(Sanjeev Kumar Prasad)
Secretary

Copy to concerned Zonal Sections